

STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

Business Meeting Minutes

Of

October 19, 2005

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The meeting was called to order by Chairman Desmond at 10:04 a.m.

The Pledge of Allegiance was led by Chairman Desmond.

Joseph Desmond	Present
Jackalyne Pfannenstiel	Absent
Arthur Rosenfeld	Present
James D. Boyd	Absent
John L. Geesman	Present

1. CONSENT CALENDAR.

- a. COSUMNES POWER PLANT PROJECT. Possible approval of a petition from the Sacramento Municipal Utility District (SMUD) to transfer the ownership of the Cosumnes Power Plant project to the SMUD financing Authority, a joint powers authority.
- b. PETER'S SHORTHAND REPORTING CORPORATION. Possible approval of Contract 150-04-001, Amendment 2 to correct an error in the total contract amount. The full authorization is \$60,000. This amendment will also correct Section 3 of Amendment 1 to show that the maximum amount of this agreement is \$60,000. (ERPA funded)
- c. PETER'S SHORTHAND REPORTING CORPORATION. Possible approval of Contract 170-04-001, Amendment 2 to correct an error in the total contract amount. The full authorization is \$180,000. This amendment will also correct Section 3 of Amendment 1 by showing that the maximum agreement amount is \$180,000. (ERPA funded)
- d. WESTERN INTERSTATE ENERGY BOARD. Possible approval of Contract 150-05-003 for \$18,000 in membership fees to enable the Energy Commission to participate in the Western Interstate Energy Board. Membership would extend through June 30, 2006.
- e. GLADSTEIN, NEANDROSS & ASSOCIATES, LLC. Possible approval of Contract 600-04-024, Amendment 1, to Gladstein, Neandross & Associates, LLC to incorporate federal language to add federal SEP funding. The purpose of this contract is to provide business and financial consultations and conduct conferences to stimulate non-petroleum fuel/technology projects. (DOE SEP funded)
- f. BURNETT & BURNETTE. Possible approval of Contract 600-04-022, Amendment 1 to Burnett & Burnette to incorporate federal language to add federal SEP funding. The purpose of this contract is to assist the Energy Commission by providing troubleshooting consultations that address problems that impede the completion or operation of Commission-funded non-petroleum infrastructure and vehicle projects. This will enable the contract to be fully funded for the contract term. (DOE SEP funded)

- g. TIAX, LLC. Possible approval of Contract 600-04-023, Amendment 1 to TIAX, LLC to incorporate federal language to add federal SEP funding. The purpose of this contract is to develop and test a cash flow model to address non-petroleum transportation infrastructure projects for Commission staff use and Commission client use. (DOE SEP funded)
- h. ELECTRICITY STORAGE ASSOCIATION. Possible approval of Contract 500-05-014 for \$10,000 to Electricity Storage Association towards the biennial Electric Energy Storage Applications and Technology (EESAT) 2005 conference to be held in San Francisco from October 17-19, 2005. (PIER-Ind/Ag/Water funded)
- i. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA – OFFICE OF THE PRESIDENT/CIEE. Possible approval of a no-cost time extension for a work authorization with Alzeta Corporation through the University of California under PIER Research agreement #500-02-004 for demonstration of Energy Efficient Ultra Low NOx Burner (ULNB). The no-cost time extension is requested from December 31, 2005, to June 30, 2007.
- j. COMMISSION CO-SPONSORSHIP. Possible approval of a co-sponsorship for which the Energy Commission will provide \$4,500, staff time, travel expenses, and use of its name for the WestStart-CALSTART “2020 – California’s Transportation Energy Future Conference being held December 1, 2005, in Los Angeles, California.

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the Consent Calendar. The vote was unanimous. (3-0)

- 2. CALIFORNIA HOME ENERGY EFFICIENCY RATING SYSTEM. Possible approval of interim recertification of the California Home Energy Efficiency Rating System to change their Home Energy Rating System provider program to be consistent with the 2005 Building Energy Efficiency System.

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the interim recertification of the California Home Energy Efficiency Rating System. The vote was unanimous. (3-0)

- 3. RECONCILIATION OF RETAILER CLAIMS, 2004 REPORT. Possible approval of the SB 1305 (Public Utilities Code Section 398.5(e)) report, *Reconciliation of Retailer Claims, 2004*, which requires the Energy Commission to annually prepare and submit a report to the California Public Utilities Commission about retail power source claims made to consumers. This report also lists California’s retail providers of electricity, their level of participation in the SB 1305 Power Source Disclosure Program and the renewable content of their default products.

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the Reconciliation of Retailer Claims, 2004 report. The vote was unanimous. (3-0)

4. APPLIANCE EFFICIENCY REGULATIONS – (DOCKET NO. 05-AAER-1). Possible adoption of the Amendments to Appliance Efficiency Regulations published as Express Terms of Proposed Regulations (15-Day Language) dated September 30, 2005.

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the Amendments to Appliance Efficiency Regulations. The vote was unanimous. (3-0)

5. 2005 DEPARTMENT OF ENERGY (DOE) CLEAN CITIES STATE ENERGY PROJECT (SEP) GRANT SOLICITATION. Possible approval of a request to enter into grant agreements with 13 project applicants (see below) in the amount of \$1,770,000 that have been awarded grant funds under the 2005 DOE Clean Cities SEP Grant Solicitation.

1. Project Clean Air, Inc., San Joaquin Valley Clean Cities Coordinator, \$20,000.
2. City of Visalia, City of Visalia CNG Refuse Trucks, \$100,000.
3. Schwan's Home Service, Inc., Schwan's Home Service Propane Truck Deployment in California, \$100,000.
4. Clean Energy, CR&R LNG Refuse Haulers, Perris, CA, \$200,000.
5. Clean Energy, Addition of 30 CNG Refuse Haulers to Rainbow Disposal's Existing Fleet, Huntington Beach, CA, \$200,000.
6. Clean Energy, Event Transportation CNG Shuttle Program, LAX, \$200,000.
7. Clean Energy, Door-to-Door CNG Shuttle Project, Los Angeles Basin, \$100,000.
8. City of Clovis, CNG Refueling Station for the City of Clovis, \$150,000.
9. San Luis Butane Distributors, Inc., dba Delta Liquid Energy, Clean Cities East Bay Propane Infrastructure, \$150,000.
10. County of Orange, Development of CNG Refueling Infrastructure in Orange CO, CA, \$150,000.
11. Clean Energy, CR&R L/CNG Station in Perris, CA, \$150,000.
12. Clean Energy, Rainbow Time-Fill CNG Station with Public Access HB, \$150,000.
13. Clean Energy, Upgrade of CNG Station in Pleasanton, CA, \$100,000.

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the 2005 DOE Clean Cities SEP Grant agreements with 13 project applications. The vote was unanimous. (3-0)

6. PETROLEUM INDUSTRY INFORMATION REPORTING ACT. Pursuant to Public Resources Code section 25350 et seq., the possible adoption of new and proposed amendments to the Petroleum Industry Information Reporting Act regulations (Cal. Code Regs., Title 20, sec. 1361 et seq.), as identified by the Office of Administrative Law (OAL) in its Notice of Disapproval dated August 8, 2005. Written public comment on this issue was to be received by the Energy Commission by September 30, 2005. The scope of comment was, and is, limited to those areas of the rulemaking package identified by the OAL as deficient. The proposed regulations will increase reporting requirements for petroleum refiners, and establish new reporting requirements for petroleum marketers, importers, exporters, and fueling station operators.

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the new and proposed amendments to the Petroleum Industry Information Reporting Act regulations. The vote was unanimous. (3-0)

7. CALIFORNIA HIGHWAY PATROL. Possible approval of Contract 150-05-006R for \$15,500 for an interagency agreement with the California Highway Patrol to provide funding for inspecting and/or escorting shipments of transuranic nuclear waste in California and to reimburse travel necessary to attend meetings to prepare for these shipments. As additional funding is received from the Department of Energy and the Western Governors' Association to the Energy Commission, further increments may be provided to the CHP throughout FY 2005 and FY 2006.
(Western Governors' Association funded)

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract 150-05-006R. The vote was unanimous. (3-0)

8. WESTERN GOVERNORS' ASSOCIATION. Possible approval of Contract 150-05-004 for \$250,000 with the Governors' Association (WGA) to provide the annual increment of funding to continue state preparation for federal nuclear waste shipments to the Waste Isolation Pilot Plant (WIPP) in New Mexico. As additional funding is received from the U.S. Department of Energy, WGA will be sending further increments to the Energy Commission using contract modifications throughout FY 2005 and FY 2006.
(Western Governors' Association funded)

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract 150-05-004. The vote was unanimous. (3-0)

9. GOVERNOR'S OFFICE OF EMERGENCY SERVICES. Possible approval of Contract 150-05-005R for \$186,000 for an interagency agreement with the Governor's Office of Emergency Services (OES) to provide funding to continue emergency response preparation for federal nuclear waste shipments in California to the Waste Isolation Pilot Plant (WIPP) in New Mexico. As additional funds are received from the U.S. Department of Energy and the Western Governors' Association to the Energy Commission, further increments will be provided to OES throughout FY 2005 and FY 2006.
(Western Governors' Association funded)

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract 150-05-005R. The vote was unanimous. (3-0)

10. WINTEC ENERGY, LTD. Possible approval of Contract REN-01-065, Amendment 1 under the New Renewables Resources Account, reducing the funding award for the Wintec Energy #2 Project by \$262,460 from Wintec Energy, Ltd, to Mountain View Power Partners III, LLC, as a new owner.

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract REN-01-065, Amendment 1. The vote was unanimous. (3-0)

11. MOUNTAIN VIEW POWER PARTNERS III, LLC. Possible approval of Contract REN-05-001 under the New Renewables Resources Account for \$262,460, assigning a portion of the funding award for the Wintec Energy #2 Project from Wintec Energy, Ltd, to Mountain View Power Partners III, LLC, as a new owner.

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract REN-05-001. The vote was unanimous. (3-0)

12. PLATTS RESEARCH AND CONSULTING. Possible approval of Contract 500-03-005, Amendment 1, with Platts Research and Consulting, adding \$260,000 for a total contract amount of \$516,546 and extending the term for three years, to continue to produce and distribute a series of news briefs and trade journal articles summarizing PIER Program research in the Buildings End-Use Energy Efficiency area while increasing article placement activities and direct outreach to trade associations and education professionals. (PIER-Bldgs funded)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 500-03-005, Amendment 1. The vote was unanimous. (3-0)

13. SOUTHERN CALIFORNIA EDISON. Possible approval of Contract 500-05-012 with Southern California Edison for \$250,000 to develop and promote more efficient open refrigerated display cases. (PIER-Bldgs funded)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 500-05-012. The vote was unanimous. (3-0)

14. NATIONAL RENEWABLE ENERGY LABORATORY (NREL). Possible approval of Contract 500-05-015 for \$35,000 with National Renewable Energy Laboratory to co-sponsor the 18th Clean Energy Growth Forum, planned for November 7-9, 2005, in San Francisco. The conference will be a demonstration of Energy Efficient Ultra Low NO_x Burner (ULNB) Control Technology. (PER-Ind/Ag/Water funded)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 500-05-015. The vote was unanimous. (3-0)

15. DEPARTMENT OF ENERGY, LAWRENCE BERKELEY NATIONAL LABORATORY. Possible approval of Contract 500-03-024, Amendment 2, with Lawrence Berkeley Laboratory for \$673,000 to cover additional micro-grid laboratory test bed expenses not anticipated and, therefore, not covered in the original contract. (PIER-ESI funded)

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract 500-03-024, Amendment 2. The vote was unanimous. (3-0)

16. UNIVERSITY OF CALIFORNIA – DAVIS, OFFICE OF THE CHANCELLOR FOR RESEARCH – SPONSORED PROGRAMS. Possible approval of Contract 300-97-009, Amendment 9, adding \$70,000 and a one year extension to the existing agreement with the University of California at Davis for student interns to provide support for electric, natural gas and petroleum forecasting, demand and infrastructure analysis. (ERPA funded)

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of Contract 300-97-009, Amendment 9. The vote was unanimous. (3-0)

17. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, OFFICE OF THE PRESIDENT/CIEE. Possible approval of Contract 500-02-004, Amendment 3, to the Regents of the University of California, Office of the President, to augment the contract's spending authority by \$37,000,000 for a total of \$87,000,000 and a two year extension through June 30, 2011. Funds are received from Public Interest Energy Research Electricity (\$70,446,128), federal (\$4,553,872) and PIER Natural Gas (\$12,000,000). (PIER funded)

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of Contract 500-02-004, Amendment 3. The vote was unanimous. (3-0)

18. ORDER INSTITUTING RULEMAKING. Consideration and possible adoption of an Order Instituting Rulemaking to adopt, amend, and repeal regulations governing the Commission's data collection system for energy forecasting and planning, and regulations governing disclosure of Commission records.

Commissioner Geesman moved and Commissioner Rosenfeld seconded approval of the Order Instituting Rulemaking. The vote was unanimous. (3-0)

19. Minutes

Commissioner Rosenfeld moved and Commissioner Geesman seconded approval of the September 21, 2005 Business Meeting minutes. The vote was unanimous. (3-0)

20. Commission Committees and Oversight

Commissioner Geesman announced his attendance at a meeting in Washington where the Director of Western Governor's Association presented the status of efforts under way for clean energy that Governor Schwarzenegger and Governor Richardson initiated over a year ago and that the western states reached a positive agreement.

21. Chief Counsel's Report

Bill Chamberlain announced that on Friday, they filed an opposition to the petition for certiorari filed by air conditioning and refrigeration institutes and some other trade association. He also requested a closed session with the Commissioners.

22. Executive Director's Report

B. B. Blevins announced that he will receive and demonstrate the hydrogen fuel cell vehicle at the end of this week.

23. Legislative Director's Report

No report was given.

24. Public Adviser's Report

No report was given.

25. Public Comment

No comments were received.

The meeting was adjourned at 10:55 a.m.

SONG K. HER
Acting Secretariat to the Commission